



## ***Doctrina Urbi Serviat? Comparing EU Policies on Granting Access for Refugees to Higher Education with Practices from Member States in View of Sectorial Reform***

IED Research Project: “A Youth Strategy for Europe’s Future”

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Historically, EU Member States (MSs) have long been associating asylum-seekers’ socio-demographic characteristics with economic migrants’ when designing models of integration of third-country nationals into their societies. These models are often based on the assumption that migrants come from disenfranchised backgrounds, escape under-developed contexts and possess little skills beside their own labour force. As such, the integration model on offer in EU countries of arrival is often one that supposedly matches a migrant’s need for unspecialised employment with EU market’s structural lack of cheap main-d’œuvre. However, the socio-economic features of asylum-seekers coming to Europe have changed dramatically over the years, as a consequence of changes in the global geo-political context. Today, many asylum-seekers speak several languages and possess university degrees, sometimes even Masters’ and PhDs, and would like to further specialise instead of working ‘survival jobs’. The leading research question is the following: to what extent do the EU MSs grant equal access to Higher Education (HE) to refugees compared to EU citizens in practice, as it is foreseen in theory by the EU ‘Qualifications Directive’? This study proceeds as follows: first, it introduces the main documents agreed at the international level on the issue of granting access for refugees to HE, and it defines the policy framework agreed at the EU level; second, it compares practices at EU MSs level, delving into the cases of Belgium, Germany, Italy and Romania; third, it focuses on the case of Belgium, making use of three qualitative interviews administered to refugee persons and asylum-seekers; fourth, it puts forward 7 policy recommendations for easing the access of refugees to the HE in Europe

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## INTRODUCTION

With over 1.500,000 asylum-seekers<sup>1</sup> entering the European Union (EU) from 2015 to 2017 to flee war and instability in Africa and the Middle East<sup>2</sup>, lawmakers in EU Member States (MSs), as well as civil society organisations and media pundits have been calling for a reform of common migration and security policies. Efforts at the European institutions level have been focusing on strengthening the existing EU instruments to address the increased numbers of asylum claims and to better protect the external borders<sup>3</sup>, as well as on involving neighbouring countries in the implementation of common solutions to tackle perceived issues such as irregular migration, smuggling of human beings and potential terrorist threats<sup>4</sup>.

A less remarkable degree of attention has been dedicated to the fate of the human beings who are victims of forced migration dynamics. It is worth noting that all 28 MSs have ratified the 1951 Geneva Convention and its Annexes on the status and reception of refugees, binding themselves to a duty of international protection *vis à vis* individuals in grave danger. The EU, and especially the European Commission, has reiterated on several occasions MSs' responsibilities and obligations in this regard<sup>5</sup> and has given impulse to the harmonisation of standards across MSs through the Asylum Procedures, Reception Conditions, and Qualifications Directives<sup>6</sup>. However, ultimate decisions on recognition of the refugee status, as well as integration policies remain an exclusive competence of sovereign states. This affects exponentially EU regulating

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<sup>1</sup>For the purpose of this paper, we will refer to 'asylum-seekers' as to individuals having lodged an asylum application in EU Member State, to 'refugees' as to individuals who have been granted any form of officially recognised international protection, and to 'migrants' as to all citizens from non-EU Member States residing in Europe without having lodged an asylum application

<sup>2</sup> Eurostat, "Asylum Statistics 2006-2017", 16 March 2018, retrieved [https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics) (18 October 2018)

<sup>3</sup>Emiliani, Tommaso, "New Wine Into Old Wineskins? Addressing Patterns of Institutional Development in Euro-Mediterranean Relations in the Wake of the So-Called 'EU Refugee Crisis'", *Institute for Euro-Mediterranean Relations Policy Brief*, Barcelona, October 2018, retrieved <https://www.euromesco.net/publication/new-wine-into-old-wineskins-addressing-patterns-of-institutional-development-in-euro-mediterranean-relations-in-the-wake-of-the-so-called-eu-refugee-crisis/> (25 November 2018)

<sup>4</sup>Emiliani, Tommaso, "Reacting to External Events ? The External Dimension of EU Migration, Asylum and Border Management Policies", in Gsthoel, Sieglinde *et al.*, *The Emerging External Dimension of EU Policies*, Routledge, London 2017

<sup>5</sup>European Commission, "Migration and Asylum: Commission Takes Further Steps in Infringement Procedures Against Hungary", 19 July 2018, retrieved [http://europa.eu/rapid/press-release\\_IP-18-4522\\_en.htm](http://europa.eu/rapid/press-release_IP-18-4522_en.htm) (18 October 2018)

<sup>6</sup>For the legislative texts of the Directives see European Commission, DG Migration and Home Affairs, "Asylum Procedures", 18 October 2018, retrieved [https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/common-procedures\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/common-procedures_en) (18 October 2018)

powers as guarantor of the rights and well-being of people residing on its soil. Historically, national institutions in Europe have long been associating asylum-seekers' socio-demographic characteristics with economic migrants' when designing models of integration of third-country nationals into their societies<sup>7</sup>. These models are often based on the assumptions that migrants come from disenfranchised backgrounds, escape under-developed contexts and possess little skills beside their own labour force. As such, the integration model on offer in EU countries of arrival is often one that supposedly matches a migrant's need for unspecialised employment with EU market's structural lack of cheap *main-d'œuvre*. Therefore, refugees are streamlined into the labour market as soon as they obtain the official protection status, and are encouraged to take virtually any job as soon as they are awarded the right to work<sup>8</sup>.

However, the socio-economic features of asylum-seekers coming to Europe have changed dramatically over the years, as well as their demographics and their countries of origin, as a consequence of changes in the global geo-political context. Today, many asylum-seekers arriving in EU countries speak several languages including English and possess university degrees, sometimes even Masters' and PhDs, and would like to further specialise instead of working 'survival jobs'<sup>9</sup>. In many other cases, young refugees had enrolled or planned to enrol in university at home, but did not have a chance to obtain a degree as they were forced to flee. This situation requires a decisive re-thinking of the economic model of integration of refugees in Europe. Micro-economic theory shows that an individual who is over-qualified for a job will lose motivation and therefore be less productive at work<sup>10</sup>. Even more importantly for the EU, it is the observation that the Single Market is currently failing to attract highly specialised workers in sectors such as science and engineering, ICT, and health care<sup>11</sup>. As the EU does not possess a

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<sup>7</sup>Fernandez-Macias, Enrique and Tania Paniagua de la Iglesia, Labour Market Integration of Migrants and Their Descendants, EuroFound Working Paper, November 2017, retrieved <https://www.eurofound.europa.eu/sites/default/files/wpef17037.pdf> (29 November 2018)

<sup>8</sup>Allen, Katie, "Refugees Hold Key to German Economic Growth, IMF says", *The Guardian*, 9 May 2016, retrieved <https://www.theguardian.com/business/2016/may/09/germany-imf-economy-growth-refugees-migrants-labour-ageing-population> (18 October 2018)

<sup>9</sup>Al Ahmad, Mohammad, "The Crisis of Higher Education for Syrian Refugees", Brookings Stat University, retrieved <https://www.brookings.edu/blog/education-plus-development/2016/06/17/the-crisis-of-higher-education-for-syrian-refugees/> (20 October 2018)

<sup>10</sup>Freeman, Richard B., "Job Satisfaction as An Economic Variable", *Harvard University Working Paper*, n. 225, Harvard, 1977

<sup>11</sup>Cedefop, "Future Skill Needs in Europe: Critical Labour Force Trends", *Cedefop Research Paper*, n. 59, 2016

recruiting scheme for third country nationals comparable to the US'<sup>12</sup>, allowing refugees already residing in the EU and possessing those specific skills to put them to use appears as a potentially effective measure to fill the gaps in targeted areas.

Besides the economic argument, facilitating the access for refugees to Higher Education (HE) institutions would have a direct impact on the social integration of refugees into hosting societies. While EU officials, as well as national politicians have been vocal in calling for refugees to respect and embrace “EU values”<sup>13</sup>, refugees often find themselves in situations where they are confronted with radically different social norms and codes of behaviours from those they adopted at home. Thus, incidents ranging from cultural misunderstandings to serious breaches of the law can happen, with asylum-seekers and refugees as both victims and perpetrators of cultural clashes<sup>14</sup>. Well re-known academic studies show the correlation between an individual’s level of education and his/her cultural awareness<sup>15</sup>. Beginning or resuming an education routine can set a clear pathway back into society and serve as a powerful counterweight to the trauma of forced migration<sup>16</sup>. With renewed educational perspectives, refugees have been found to be among the most resilient and ambitious learners<sup>17</sup>. Facilitating the access for refugees to HE would therefore increase the social cohesion of EU MSs societies, by

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12<sup>□</sup>The EU ‘Blue Card’ Directive, modelled after the U.S. Green Card and entered into force in 2009, is not implemented yet by several EU MSs ,and deemed anyway insufficient to fill market shortages, see Parks, Roderick S. and Steffen Angenendt, “After the Blue Card: EU Policy on Highly Qualified Migration: Three Ways Out of the Impasse”, *Heinrich Boll Stiftung Discussion Paper*, February 2010

13<sup>□</sup>The Economist, “Belgium to Require Immigrants to Sign Up to European Values”, 1 April 2016, retrieved <https://www.theguardian.com/world/2016/apr/01/belgium-to-require-immigrants-to-sign-up-to-european-values> (18 October 2018)

14<sup>□</sup>For two opposite accounts of violence in Germany see Alkousaa, Riham, “Violent Crime Rises in Germany and is Attributed to Refugees”, *The Economist*, 3 January 2018, retrieved <https://www.reuters.com/article/us-europe-migrants-germany-crime/violent-crime-rises-in-germany-and-is-attributed-to-refugees-idUSKBN1ES16J> and Gerring, Nicole, “Violence Against Refugees Goes On: Europe Must Act”, Friends of Europe website, retrieved <https://www.friendsofeurope.org/publication/sexual-violence-against-refugees-goes-europe-must-act> (18 October 2018)

15<sup>□</sup>Bandoura, Albert, *Social Foundations of Thought and Action: A Social Cognitive Theory*, Englewood Cliffs, Prentice- Hall, 1986

16<sup>□</sup>Crea, Thomas M., “Refugee Higher Education: Contextual Challenges and Implications for Program Design, Delivery, and Accompaniment”, *International Journal of Educational Development*, vol. 46, pp. 12–22, 2015

17<sup>□</sup>Mangan, Doireann and Laura A. Winter, “(In)validation and (Mis)recognition in Higher Education: The Experiences of Students from Refugee Backgrounds”, *International Journal of Lifelong Education*, vol. 36, n.4, pp. 486-502, 2017

reducing cases of social isolation, ghettoization, reluctance to learn the local language and ultimately even risks of radicalisation.

These and other new challenges were among the topics addressed by the events organised in 2018 across Europe by G-100, an umbrella organisation of refugee-friendly organisations coordinated by the Diaspora Network Alliance<sup>18</sup>. The events took the form of day-long workshops<sup>19</sup> where controlled groups of refugees and social scientists gathered to brainstorm about motivations, dreams, obstacles, legal frameworks, institutional obstacles and success stories experienced by refugees when trying to access HE institutions and engage in active participation in democratic processes<sup>20</sup>. The G-100 concluded its first cycle of activities with a dissemination event that took the shape of an open conference in Brussels, where activists presented the outcomes of the workshops organised all across Europe, in the forms of policy recommendations, to EU policy-makers and national officials<sup>21</sup>.

This paper builds on the work of the G-100 and on the policy recommendations produced in that framework to delve deeper into the issue of the access to HE institutions in Europe for refugees. The leading research question is the following: to what extent do the EU MSs grant equal access to HE to refugees compared to EU citizens in practice, as it is foreseen in theory by the EU ‘Qualifications Directive’<sup>22</sup>? The preliminary answer provided is that access to HE for refugees varies greatly according to the hosting country, and that individual experiences differ considerably even within a single country, as administrative obstacles, inter-institutional communication and legal requirements are not always consistent across national regions or entities.

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18 For more information on the activities and events hosted by G-100, see <http://www.g-100.org/> (18 October 2018)

19 Workshops were organised in Brussels, Amsterdam and Berlin, with a final conference taking place in Brussels on 15 May 2018, see <http://www.g-100.org/news/g-100-conference-in-brussels/> (18 October 2018)

20 In the framework of this paper, we will focus solely on the topic of the access to Higher Education for refugees and asylum-seekers

21 The author of this study was the rapporteur for the policy recommendations on the topic of the access to Higher Education for refugees and asylum-seekers

22 European Parliament and Council of the European Union, “Directive 2011/95/EU of 13 December 2011 on Standards for the Qualification of Third-Country Nationals or Stateless Persons as Beneficiaries of International Protection, for a Uniform Status for Refugees or for Persons Eligible for Subsidiary Protection, and for the Content of the Protection Granted”, OJ L 337, Brussels, 20 December 2011

While the increased inflows of asylum-seekers in Europe have given new impetus to academic research on refugee issues, the strand dealing with the topic of the access to HE is underdeveloped. Most studies have been focusing, unsurprisingly, on the access for refugees to the European market labour<sup>23</sup>, on the effects of the increased arrivals on EU MSs economies and welfare systems<sup>24</sup>, as well as on the overall cultural and social conditions enhancing integration odds for refugees in European societies<sup>25</sup>. Studies in the domain of education often focus on the access to primary and secondary institutions<sup>26</sup>, or on the recognition of professional skills<sup>27</sup>. Among the few researches dealing with the access to HE, a majority is sponsored or promoted by refugee-friendly associations<sup>28</sup>. A small group of academics has started publishing on the topic from a more independent perspective. This research draws on the work of Jens Jungblut<sup>29</sup> and Thomas M. Crea<sup>30</sup>, among the most representative, to build its argument.

With respect to methodology, this study proceeds as follows: first, it introduces the main documents agreed at the international level on the issue of granting access for refugees to HE, and it defines the policy framework agreed at the EU level; second, it compares practices at EU MSs level, delving into the cases of Belgium, Germany, Italy and Romania; third, it focuses on the case of Belgium, making use of three qualitative interviews administered to refugee persons

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23<sup>□</sup> Karlsdottir, Anna *et al.*, “Policies and Measures for Speeding Up Labour Market Integration of Refugees in the Nordic Region”, *Nordregio Working Paper*, n. 8, 2017

24<sup>□</sup> Lecca, Patrizio, “Long-term Social, Economic and Fiscal Effects of Immigration into the EU: The Role of the Integration Policy”, *JRC Working Papers in Economics and Finance*, n. 4, 2017

25<sup>□</sup> Samek Lodovici, Manuela *et al.*, “Integration of Refugees In Greece, Hungary and Italy – Comparative Analysis”, European Parliament, Directorate General for Internal Policy, IP/A/EMPL/2016-18, December 2017

26<sup>□</sup> European Union Agency for Fundamental Rights, “Current Migration Situation in the EU: Education”, Report, May 2017, retrieved <http://fra.europa.eu/en/publication/2017/current-migration-situation-eu-education> (25 October 2018)

27<sup>□</sup> Ngo Network of Integration Focal Points, “Assessment of Skills and Recognition of Qualifications of Refugees and Migrants in Europe”, Policy Brief, 2016, retrieved [https://webcache.googleusercontent.com/search?q=cache:tCZ2qPuBM\\_IJ:https://ec.europa.eu/migrant-integration/index.cfm%3Faction%3Dmedia.download%26uuid%3D2A9D2FF5-B4A9-51CA-900BB8CE659198D0+%&cd=11&hl=it&ct=clnk&gl=be](https://webcache.googleusercontent.com/search?q=cache:tCZ2qPuBM_IJ:https://ec.europa.eu/migrant-integration/index.cfm%3Faction%3Dmedia.download%26uuid%3D2A9D2FF5-B4A9-51CA-900BB8CE659198D0+%&cd=11&hl=it&ct=clnk&gl=be) (22 October 2018)

28<sup>□</sup> See for instance the reports from the European Students’ Union, “Refugees Welcome? Recognition of Qualifications Held by Refugees and Their Access to Higher Education in Europe – Country Analyses”, Brussels, April 2017, or by the Refugee Support Network, “I Just Want to Study”, London, February 2012

29<sup>□</sup> Jungblut, Jens *et al.*, “Higher Education Policy Dynamics in Turbulent Times: Access to Higher Education for Refugees in Europe”, *Studies in Higher Education*, vol. 41, n.3, pp. 17-43, March 2018

30<sup>□</sup> Crea, Thomas M., “Higher Education for Refugees: Lessons from a 4-year Pilot Project”, *International Review of Education*, vol. 61, n. 2, pp. 235-245



and asylum-seekers involved in the G-100 events; fourth, it puts forward five policy recommendations to the EU aimed at easing the access to HE for refugees in Europe.

## **INTERNATIONAL AGREEMENTS & CURRENT EU POLICY FRAMEWORK**

*Initiatives at the international level: from the UN Convention relating to the Status of Refugees to the UN Sustainable Development Goals*

The right to education is defined as a fundamental human right by the main agreements reached on social issues at the international level during the XIXth and XXth century. It is reflected in international law in art. 26 of the 1948 UN Universal Declaration of Human Rights<sup>31</sup> and art. 13 and 14 of the 1966 International Covenant on Economic, Social and Cultural Rights<sup>32</sup>, and has been reaffirmed in the 1960 UNESCO Convention against Discrimination in Education<sup>33</sup>. In Europe, art. 2 of the first Protocol of the 1952 European Convention on Human Rights states that the right to education is recognized as a human right and is understood to establish an entitlement to education<sup>34</sup>.

The right to education for refugees, in particular, was agreed upon and codified at the same time as the same right to education for any other human being. As soon as of 1951, art. 22 of the UN Convention relating to the Status of Refugees expressly called on signatory states to provide the most favourable treatment as possible for refugees with regard to studies beyond primary education<sup>35</sup>. In the last 30 years, UNHCR's Executive Committee (ExCom) has repeatedly reaffirmed the right to education for refugees and asylum seekers and recognized the link

<sup>31</sup> United Nations, *Final Act of the Conferences of Plenipotentiaries on the Status of Refugees and Stateless Persons*, Geneva, July 1951, retrieved <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf> (20 October 2018)

<sup>32</sup> United Nations, *International Covenant on Economic, Social and Cultural Rights*, New York, 16 December 1966, retrieved <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx> (20 November 2018)

<sup>33</sup> UNESCO, *Convention Against Discrimination in Education*, Paris, 14 December 1960, retrieved <http://unesdoc.unesco.org/images/0014/001406/140601E.pdf> (20 November 2018)

<sup>34</sup> [https://www.echr.coe.int/Documents/Convention\\_ENG.pdf](https://www.echr.coe.int/Documents/Convention_ENG.pdf)

<sup>35</sup> Council of Europe, *European Convention on Human Rights*, Rome, 4 November 1950, retrieved [https://www.echr.coe.int/Documents/Convention\\_ENG.pdf](https://www.echr.coe.int/Documents/Convention_ENG.pdf) (20 November 2018)

between education and the attainment of self-sufficiency and durable solutions<sup>36</sup>. The 2005 World Summit locked the commitment of states to timely and effective humanitarian assistance and pointed out education as a key element<sup>37</sup>. A number of resolutions of the Human Rights Council of the United Nations General Assembly reiterated the international commitments, such as resolution 64/290 (July 2010) on the right to education in emergencies<sup>38</sup>, and the draft resolution on the right to education for refugees, migrants and asylum seekers (June 2011)<sup>39</sup>. Since 2010, migrant and refugee education has gained a new institutional place as part of the UNHCR's core mandate to protect, having moved from Operations to the Division of International Protection, and it is one of the Global Strategic Priorities<sup>40</sup>. The 2015 UN Sustainable Development Goal 4 makes education a top priority for the future of humanity. In particular, point 4.3 sets the objective of "By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university"<sup>41</sup>. Yet despite the binding language employed in the official discourse, there is little evidence of tangible organisational commitment by the international community when it comes to establish a global education governance that would guarantee the right to accessing (higher) education for young and adult refugees. Access to education for refugees is indeed still limited and uneven across regions and settings of displacement.

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36<sup>□</sup>United Nations High Commissioner for Refugees, ExCom Conclusion no. 59 (XL), 1989, ExCom Conclusion no. 64 (XLI), 1990 and ExCom Conclusion no. 80 (XLVII), 1996. See also the statement by Volker Turk, "Statement of the Assistant High Commissioner for Protection to the 69th Session of the Executive Committee of the High Commissioner's Programme", United Nations High Commissioner for Refugees website, 4 October 2018, retrieved <https://www.unhcr.org/admin/dipstatements/5bb49b2f4/statement-69th-session-executive-committee-high-commissioners-programme.html> (20 November 2018)

37<sup>□</sup>United Nations, *Resolution Adopted by the General Assembly on the World Summit 2005*, A/Res/60/1, New York, 16 September 2005

38<sup>□</sup>United Nations, *Resolution Adopted by the General Assembly on the Right to Education in Emergency Situations*, A/Res/64/290, New York, 27 July 2010

39<sup>□</sup>United Nations, "The Right to Education of Migrants, Refugees and Asylum- Seekers", Report of the Special Rapporteur on the Right to Education Vernor Muñoz, no. A/HRC/14/25, New York, United Nations, 2011

40<sup>□</sup>Dryden-Peterson, Sarah, "Refugee Education – A Global Review", UNHCR Report, November 2011, New York, retrieved [http://www.unhcr.org/hu/wp-content/uploads/sites/21/2016/12/Dryden\\_Refugee\\_Education\\_Global-Rvw.pdf](http://www.unhcr.org/hu/wp-content/uploads/sites/21/2016/12/Dryden_Refugee_Education_Global-Rvw.pdf) (20 November 2018)

41<sup>□</sup>United Nations, *Sustainable Development Goal n.4 – Quality Education for All*, UN.org website, retrieved <https://www.un.org/sustainabledevelopment/education/> (20 November 2018)

*From the Council of Europe Convention on the Recognition of Qualifications concerning Higher Education in the European Region to the European Area of Recognition*

A fundamental corollary to the right to education for refugees is the recognition of their previous academic qualifications into the hosting country's education system. Be it a secondary school diploma allowing for enrolment in university, or a Master's degree opening the doors to further specialisation, refugees cannot do without a legal framework establishing clear provisions with respect of the requirements that states may require to filter access to tertiary education institutions. The Council of Europe and UNESCO elaborated in 1997 a Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Convention)<sup>42</sup>. The Convention stipulates that degrees and periods of study must be recognised unless substantial differences can be proved by the university that is charged with recognition. The significance of such provision is remarkable, as it shifts the burden of the proof from the applying candidate student over the hosting institution. Article 7 of the Convention explicitly deals with the issue of refugees, by establishing that signatory parties will take all necessary measures "to assess fairly and expeditiously whether refugees, displaced persons and persons in a refugee-like situation fulfil the relevant requirements for access to higher education, to further higher education programmes or to employment activities, even in cases in which the qualifications obtained in one of the Parties cannot be proven through documentary evidence"<sup>43</sup>. The Lisbon Convention entered into force in 1999 and has been so far ratified by 53 countries, as well as signed but not ratified by Canada and the U.S. Due to lack of substantial progress in the matter of refugee access to HE, in November 2017 the Working Committee of the Convention adopted a Recommendation sketching out practical guidelines to help signatory parties give concrete implementation to art. 7.

*Initiatives at the EU level: Erasmus + Inclusion and Diversity Strategy & Actions*

The EU is the regional organisation most active in the promotion of refugee access to HE. Although specific provisions regulating the access to university for residents are still an

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<sup>42</sup> Council of Europe, *Convention on the Recognition of Qualifications concerning Higher Education in the European Region*, Lisbon, 11 November 1997, retrieved <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/165> (23 November 2018)

<sup>43</sup> *Ibid.*, art. 7

exclusive competence of MSs, support to the inclusion of refugees in post-secondary institutions across MSs is funded and streamlined through the Erasmus+ programme, that is set to contribute to the objectives of the overarching Education & Training Strategy 2020, as well as the EU Youth Strategy. In particular, the Erasmus+ Inclusion & Diversity Strategy sets the framework for EU action: point 4.1 explicitly includes immigrants and refugees in the definition of ‘Young people with fewer opportunity’ to place a special emphasis upon<sup>44</sup>.

Against this background, the Erasmus+ programme foresees several actions that allows for support to refugees, as well as hosting MSs’ HE institutions. Erasmus+ funds strategic partnerships finalised to the building inclusive education systems for refugees<sup>45</sup>. Such partnerships support the development, transfer and implementation of innovative practices, as well as joint initiatives promoting cooperation, peer learning and exchanges of experience. A positive example is provided by the project ‘inHERE’. The project aims to empower EU MS HE staff and faculty members in the integration of refugees at institutional and local level, based on international peer-support<sup>46</sup>. Erasmus+ also finances capacity-building projects to modernise MS HE institutions and systems<sup>47</sup>. Particular emphasis is put on projects addressing the integration of refugees from conflict-affected countries in HE. In this regard, it is worth mentioning the ‘MERIC-Net’ project that tackles the issue of the recognition of refugees’ degrees. In practice, the Mediterranean Network of National Information Centres on the Recognition of Qualifications addresses the challenges that relate a relatively harmonised EU system (the so-called ‘Bologna Process’) with the reality of refugees’ degrees that are not framed through ECTS and EU qualification criteria. The project, that brings together universities from the two shores of the Mediterranean Sea, aims at sharing and developing a common methodology for degree

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44<sup>□</sup>European Commission, Directorate General for Education and Culture, *Erasmus+ Inclusion and Diversity Strategy*, Brussels. December 2014

45<sup>□</sup>European Commission, *Strategic Partnerships in the Field of Education, Training and Youth*, EU Commission website, retrieved from [https://ec.europa.eu/programmes/erasmus-plus/programme-guide/part-b/three-key-actions/key-action-2/strategic-partnerships-field-education-training-youth\\_en](https://ec.europa.eu/programmes/erasmus-plus/programme-guide/part-b/three-key-actions/key-action-2/strategic-partnerships-field-education-training-youth_en) (23 November 2018)

46<sup>□</sup>European Commission, *inHERE*, EU Commission website, retrieved <http://ec.europa.eu/programmes/erasmus-plus/projects/eplus-project-details/#project/47215162-dd09-4815-accd-f2cc5ef65821>, 23 november 2018

47<sup>□</sup>European Commission, *Capacity Building in the Field of Higher Education*, EU Commission website, retrieved [https://ec.europa.eu/programmes/erasmus-plus/programme-guide/part-b/three-key-actions/key-action-2/capacity-building-field-higher-education\\_en](https://ec.europa.eu/programmes/erasmus-plus/programme-guide/part-b/three-key-actions/key-action-2/capacity-building-field-higher-education_en) (23 November 2018)

recognition in the Southern Mediterranean countries, in order to facilitate the integration of refugees and displaced people<sup>48</sup>.

*Initiatives at the national/private level: From self-help to the DAFI scholarship*

Beginning in 1966, post-secondary scholarships for refugees were introduced thanks to the UNHCR's work of advocacy *vis à vis* national governments and private donors. However, until the 1980s, very few resources were allocated to HE for refugees at the national level. Against such background, several empirical studies show that whenever free education is not available in a hosting countries, refugee develop their own training opportunities and informal learning programmes<sup>49</sup>. The number of scholarships increased from about 1,000 in 1966 to over 1,200 in 1982, and to 3,950 by 1987<sup>50</sup>, combining direct funding from UNHCR and contributions from other organisations such as the World University Service, World Council of Churches, Lutheran World Federation, and the Commonwealth Secretariat. In the late 1980s, the German government sat up a scholarship scheme project to support refugee students in need with the help of the Otto Benecke Stiftung (OBS). The scheme facilitated the enrolment of some 100 refugees in German universities. Since 1992, the Albert Einstein Academic Refugee Initiative (DAFI) Programme provides scholarships for refugees wishing to apply for university or college in their host countries. Albert Einstein was chosen as the patron of the initiative for his own experience as a refugee: the Nobel-prized physics scientist was born and raised in Germany before fleeing Nazism and resettling in the U.S. as a refugee.

DAFI is, to date, the only scheme specifically focusing on refugee access to HE on a worldwide scale. DAFI contributed substantially to the shift in the UNHCR approach to education, one that went beyond the traditional primary- and secondary education. The launch of the initiative was a success and contributed to mainstream access to HE for refugees as a public priority amongst UNHCR staff and in the international community. In the 26 years passed since its inception, the

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48<sup>□</sup> European Commission, *Mediterranean Network of National Information Centres on the Recognition of Qualifications –MERIC/NET*, EU Commission website, retrieved <http://ec.europa.eu/programmes/erasmus-plus/projects/eplus-project-details/#project/9b1f46f8-7f06-4389-9f22-633e55f7f656> (23 November 2018)

49<sup>□</sup> See for instance Dodds, Tony and Solomon Inquai, *Education in Exile: The Educational Needs of Refugees*, International Extension College, Cambridge, 1983

50<sup>□</sup> Retamal, Giley, *Humanitarian Education: Meaning, Origins and Practice*, UNCHR, International Bureau of Education, Geneva, 2014

programme has grown to support an average of 1,500 scholars per year with a stable number of graduates. The programme has been implemented in an average of 42 different countries each year. However, both countries of study and countries of origin have changed over time<sup>51</sup>. An impact assessment study published in the occasion of the 15<sup>th</sup> anniversary found that DAFI scholars have been enrolled in a wide range of studies. Fields of study such as business administration, social sciences, and medical sciences have proven particularly successful. Amongst DAFI graduates who submitted questionnaires, 75% received a Bachelor' degree, while 8% are continuing their studies with other funding. With regard to gender, female enrolment has shown steady improvement, and has stabilized at over 40%, from a low of 23% in 1992. The implementation strategy has yielded highly positive results, with almost 70% of DAFI graduates who responded successfully employed in sectors relevant to the reconstruction and the development of countries. Amongst African respondents, the employment rate reaches 81%. Of those respondents who indicated they have repatriated to their country of origin, 93% are employed, while 3% are pursuing further studies<sup>52</sup>.

Besides DAFI, other scholarship schemes offer support to refugee education on a smaller scale. Windle Trust International offers scholarships to youths and refugees in Sudan, Uganda, Kenya and Ethiopia to study in Africa or UK. The Trust's work is funded by a wide range of donors and supported by universities and colleges in Britain and Africa<sup>53</sup>. The Hegg Hoffet Fund for Displaced Women Graduates of the Geneva-based International Federation of University Women assists graduate displaced women. The Fund provides short term grants for refresher courses for re-entry into the candidates' professional field, and for language training and other courses to assist with integration into their new countries<sup>54</sup>. The French university student

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51<sup>□</sup> United Nations High Commissioner for Refugees, *The Other One Per Cent – Refugee Students in Higher Education*, DAFI Annual Report 2017, Geneva, retrieved <https://reliefweb.int/report/world/other-one-cent-refugee-students-higher-education-dafi-annual-report-2017> (20 November 2018)

52<sup>□</sup> Morlang, Claas and Shari Watson, "Tertiary Refugee Education: Impact and Achievements - 15 Years of DAFI", Technical Support Section, UNHCR Geneva, November 2007

53<sup>□</sup> Windle Trust International, *What We Do*, Windle website, retrieved <https://windle.org.uk/what-we-do> (24 November 2018)

54<sup>□</sup> International Federation of University Women, *The Hegg Hoffet Fund for Displaced Women Graduate*, IFUW website, retrieved <http://www.ifuw.org/what/hegg-hoffet/> (24 November 2018)

association Entraide Universitaire Française provides financial help to refugee students who are not eligible for a regular scholarship in France<sup>55</sup>.

## **CHECK REALITY FROM SELECTED EU MEMBER STATES: A POLICY ASSESSMENT**

The right to determine conditions and requirements for access to post-secondary education in EU MSs is still an exclusive national competence. The only EU intervention in this field is the Directive 2004/83/CE, recast by the Directive 2011/95/UE: the so-called ‘Qualifications Directive’ establishes that MSs must guarantee to refugees the same treatment granted to national citizens with respect to recognition procedures for academic degrees, certificates and titles<sup>56</sup>. This section analyses the legal framework with regard to HE, as well as the specific policies implemented by HE institutions in four EU MSs. The selected case studies – Belgium, Germany, Italy and Romania – provide geographical diversity, different public opinions regarding refugee integration, and a wide spectrum of regulation in the field of education.

### *Belgium*

Belgium has a very peculiar political system, that foresees a federal government, three regional governments (Flanders, Wallonia and Brussels-Capital) and three linguistic communities (Flemish-speaking, French-speaking and German-speaking). Since the late 1980s, decision-making in HE in Belgium has been in the hands of the regions. In practice, this means that at present, there are two HE systems in Belgium - the Walloon and the Flemish one. While the analysis contained in this paragraph will focus on the current situation in the Flemish region – where the author resides – the difficulties for refugees to retrieve necessary information in such a complex system are acknowledged in the following section.

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<sup>55</sup> Entraide Universitaire Française, *Les étudiants réfugiés francophones*, Entraide website, retrieved [http://entraide-universitaire.fr/index.php?option=com\\_content&view=article&id=47&Itemid=54](http://entraide-universitaire.fr/index.php?option=com_content&view=article&id=47&Itemid=54) (24 November 2018)

<sup>56</sup> European Parliament and Council of the European Union, “Directive 2011/95/EU of 13 December 2011 on Standards for the Qualification of Third-Country Nationals or Stateless Persons as Beneficiaries of International Protection, for a Uniform Status for Refugees or for Persons Eligible for Subsidiary Protection, and for the Content of the Protection Granted”, OJ L 337, Brussels, 20 December 2011

The procedure concerning registration of refugees in Belgium involves several agencies. First, the immigration office (IBZ, federal agency) registers the identity of the asylum applicant, based on the applicant's documentation as well as their finger-printing records. The latter is also used to check whether the same person applied for asylum in another EU country and/or whether the person entered the EU through a country other than Belgium, so as to comply with the provisions of Dublin Regulation, that establishes that asylum-seekers should apply for protection in the country of first entry<sup>57</sup>. Applicants can then turn to Fedasil (federal agency) for accommodation in one of 50 reception centres established in the country, receive concrete help, including social, legal, medical and linguistic guidance. Asylum-seekers are then invited for at least one interview by the office of the Commission General for Refugees and Stateless Persons (CGRS). The decision is made by the CGRS, which if positive, can either be granting refugee status or granting subsidiary protection status. The latter concerns cases in which all the requirements for refugee status are not fulfilled, but it would nevertheless be unsafe for the applicant to return to the country of origin. If applicants are considered not eligible, CGRS turn down their asylum applications, and applicants are granted appealing procedures. In 2012, the average time between an asylum seeker registers until the decision of CGRS was 80 calendar days. Due to the sharp increase in the number of asylum seekers in the summer of 2015, the period has now significantly increased<sup>58</sup>. The Syrian refugees are eligible for a fast track procedure, which may include only one interview and which can be resolved within two weeks.

The Flemish HE system comprises five universities which provide study programmes in all three cycles, and 15 university colleges which are more focused on professional education in the first and second cycle. In the case of students who are refugees, secondary education qualifications are in most cases subject to a recognition. Language requirements primarily concerns sufficient knowledge of Flemish, given that a majority of Bachelor's and Master's programmes are available only in that language. In order to enrol into a HE study programme, refugee students do not necessarily need to have their educational credential recognized by Flemish authorities (i.e.

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<sup>57</sup> European Parliament and the Council of the European Union, Regulation (EU) No 640/2013 Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in one of the Member States by a Third-Country National or a Stateless Person, OJ L 180, Brussels, 29 March 2013

<sup>58</sup> Asylum in Europe, *Belgium – Regular Procedure*, Asylum in Europe website, retrieved <http://www.asylumineurope.org/reports/country/Belgium/asylum-procedure/procedures/regular-procedure> (24 November 2018)



NARIC), given that universities have the authority to decide which credentials are required for admittance into their programmes. In 2013, a number of changes to the regulation were introduced, in order to facilitate recognition of degrees for refugees. These include waiving the usual fee (up to 300 euros) for the recognition procedure for asylum-seekers and refugees, basing the recognition decision on an advisory statement by an expert, offering ad hoc procedures in case applicants are not able to provide full documentation. The number of grants awarded in Flanders is not predetermined, which means that refugee students do not necessarily compete with Flemish students or other non-Flemish nationals for grants. Besides, a number of study grants is awarded by the Flemish government and administered (in Flemish) by the local authorities. Social services at universities often provide assistance to students in preparing their applications for study grants. Scholarships range 250 EUR per month to almost 5,000 EUR per year for students renting accommodation. In addition, refugee students, as other students, are also eligible for subsidized income, food, transport, health care, child care, sport and cultural activities<sup>59</sup>. It should be noted that, in order to benefit from such facilitations, applicant students need to have proof that they are registered asylum-seekers, or to have had their formal refugee status (or status concerning subsidiary protection) approved. Students formally recognized as refugees or persons under subsidiary protection are eligible for study grants when fulfilling study and financial conditions.

While Belgium has not put forward yet an overarching strategy addressing the issue of access to Higher Education for refugees, several bottom-up initiatives at the university level are helping candidate students to orientate in the education system. As most of the refugees are based in Brussels, universities based in Brussels are the institutions most targeted by candidate refugee students. The Free University of Brussels (VUB) website has created ‘Welcome Student-refugees Programme’ to help Syrian and Iraqi recognized refugees start or proceed with their academic studies<sup>60</sup>. The VUB conducted a comparative study between the educational systems in Syria and Iraq, and the Belgian educational system, so as to establish equivalent study levels and the mapping of these levels into the Belgian system. Based on this research, a pre-admission

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<sup>59</sup> Vukasovic, Martina, “Higher Education Opportunities for Refugees in Belgium”, in Jens Jungblut, *Refugees Welcome? Recognition of Qualifications Held by rRefugees and Their Access to Higher Education in Europe*, European Students’ Association Report, Brussels, 2017

<sup>60</sup> Vrije Universiteit Brussel, *Support to Refugees, At-Risk Students and Academics*, VUB website, retrieved <http://www.vub.ac.be/en/welcome-student-refugees-programme#home> (25 November 2018)

check is performed to analyse the academic credentials of the refugee students. Once they receive a positive recommendation, refugee candidate students can submit an application via the regular application system of the university, The programme is coordinated by a VUB PhD graduate from Syria, who is the first point of contact for student refugees. Dedicated information for refugees is available on the university website's homepage, including a list of programmes taught in English. The International Students Office of the University of Antwerp is staffed by personnel trained in providing comprehensive information on refugee enrolment, and the university website has a dedicated page providing information on learning Flemish, Bachelor's and Master's study programmes (mainly taught in Flemish) and recognition of degrees<sup>61</sup>. The University of Gent (UGent) has been cooperating since 2009 with the Flemish Refugee Council on a mentoring project designed to support students who are newly arrived immigrants<sup>62</sup>. UGent organises its services for refugees through the work of the Diversity and Gender Policy Unit of the central administration. For this reason, refugee students are considered as 'international students' and thus it is not possible to track their progress systematically. The main initiative of the Gender Policy Unit has been the organisation of a "Preparatory higher education programme" which lasts one year and includes additional Dutch language lessons, study skills training, guidance and counselling, as well as optional modules in English, mathematics, and research skills<sup>63</sup>. The Diversity and Gender Policy Unit also organise one info session for university staff concerning higher education refugees and a 'Refugees welcome' info day for refugees. The enrolment procedure for refugees does not require refugee students to have a foreigner ID-card when enrolling, which technically allows refugee students to begin their studies much faster. However, an ID-card is needed for study grants and student accommodation.

### *Germany*

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61<sup>□</sup> University of Antwerp, *Special Information for refugees*, UAnt website, retrieved <https://www.uantwerpen.be/en/education/international/international-students/refugees/> (25 November 2018)

62<sup>□</sup> Vukasovic, Martina, *op.cit.*, p. 20

63<sup>□</sup> University of Gent, *Preparatory Higher Education Programme*, UGent website, retrieved <https://www.ugent.be/en/ghentuniv/principles/diversity-and-gender/preparatory-higher-education-programme>, (25 November 2018)

In Germany, HE institutions are expected to play their part in the process of integrating refugees in the German society<sup>64</sup>. However, universities struggle with bureaucratic hurdles arising from the asylum procedure. The asylum status of candidate students plays a special role, because it has an impact on the access to the HE system.<sup>65</sup> When enrolling in a study program, refugees are regarded as international students – they do not have a special status – and must have a university entrance qualification and sufficient language skills. The teaching language is usually German, especially in bachelor’s degree programs. To enrol in these study programmes, refugees need a secondary school degree, sufficient language skills, and depending on the program, further qualifications. The problem is that, in the German decentralised political system, education is a competence of the Landers, which all have slightly different admission procedures. The specific university a refugee decides to apply to is solely responsible for reviewing and recognizing previous academic achievements. If the secondary-school certificate is not recognized, refugees can attend a specific course (“Studienkolleg”) to prepare for the university qualification assessment examination. The Studienkolleg is a public education institution all over Germany which offers preparatory courses for studying at university. The courses are free of charge, but students have to pay a semester fee. At the end, refugee students have to pass exams in different subjects and must pass a German language examination. Once refugees have passed the recognition challenges, they are subject to general admission requirements for international students. Especially for highly regulated ‘*numerus clausus*’ study courses, refugees have only very little chance to get a place to study. However, any special treatment differentiating refugees from other international students is not possible due the General Equal Treatment Act, which prohibits privileged access for refugees compared to other international students<sup>66</sup>. Contrary to other European countries, universities in Germany are not allowed to charge tuition fees. However, students have to cover some costs, such as

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64<sup>]</sup> Bundesamt für Migration und Flüchtlinge, *Aktuelle Zahlen zu Asyl*, BAMF website, December 2016, retrieved [http://www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/aktuelle-zahlen-zu-asyl-dezember-2016.pdf?\\_\\_blob=publicationFile](http://www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/aktuelle-zahlen-zu-asyl-dezember-2016.pdf?__blob=publicationFile) (25 November 2018)

65<sup>]</sup> German Academic Exchange Service, *Paths to Studying at a German university*, Study in Germany website, retrieved [https://www.study-in.de/refugees/studying/requirements/studying-as-a-refugee\\_53906.php#sprungmarke\\_1001\\_1](https://www.study-in.de/refugees/studying/requirements/studying-as-a-refugee_53906.php#sprungmarke_1001_1) (25 November 2018)

66<sup>]</sup> Steinhardt, Isabel and Lukas Ekhardt, “We can do it” – Refugees and the German Higher Education System”, in Jens Jungblut, *Refugees Welcome? Recognition of qualifications Held by Refugees and Their Access to Higher Education in Europe*, *European Students’ Association Report*, Brussels, 2017

transportation, accommodation, admission fees or examination fees. The issue of how to finance university studies is addressed by the so-called BAföG, the Federal Training Assistance Act, that differentiate available paths according to the current status of candidate students. An applicant with the recognised refugee status can apply for full funding. Applicants with the status of ‘tolerated resident’ can also apply for BAföG, but only 15 months after the date she or he originally applied for asylum. Asylum applicants cannot apply for BAföG, but are often supported through the Asylum Seeker Benefits Act.

As opposed to the case of Belgium, Germany has a rather clear national strategy when it comes to support for refugees in education. The Federal Ministry of Education and Research has launched two programs which are funded with 100 million Euro until 2019. The first program is named “Integrating Refugees in Degree Programmes” (Integra) and is aimed at giving a chance to study in special programmes to academically qualified refugees. To do this, Integra provides financial support to universities to install and extend offers of language courses and professional support for refugees. The second program is named “Welcome - Students Helping Refugees” (Welcome), and has the goal to provide orientation, overcoming barriers and offering assistance to refugees admitted to German universities<sup>67</sup>. Most universities use the funding to pay students for support and counsel refugees. on issues such as asylum procedures, study organization, study possibilities, etc. Beside these national projects, it is worth mentioning at least two local initiatives in support of refugee students. The project ‘IN-Touch’ of the Bremen universities allows refugees to assist to lectures, use library facilities, get acquainted with the German educational system and make social contact regardless of the current status of the asylum application. To participate in ‘IN-Touch’, a refugee must have an university background and possess good German or English language skills<sup>68</sup>. To join ‘IN-Touch’, the refugees have to register, and then get an IN-Touch Card with which they have access to the internet, can get a student card for the library and sign in for courses at all public universities in Bremen. They can also ask for a study partner from the so called Study-Buddy-Partner-Program by the University of Bremen. During the semester, several meetings are arranged so that refugee students and their

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<sup>67</sup> German Academic Exchange Service, *Support in Every Situation*, Study in Germany website, retrieved [https://www.study-in.de/refugees/studying/refugee-support-services-at-universities\\_53743.php](https://www.study-in.de/refugees/studying/refugee-support-services-at-universities_53743.php) (25 November 2018)

<sup>68</sup> Bremen Bremerhave, *Here IN-Touch*, Universities of Bremen website, retrieved <https://www.bremerwissen.de/en/study/informieren/university-for-refugees/in-touch/> (25 November 2018)

student partners can meet and work together. However, participating in the ‘IN-Touch’ program does not allow refugee students to gain a full Higher Education degree, as participants do not take university exams. Another remarkable project is the ‘Kiron Open Higher Education’, a bottom-up a civil society initiative that allows refugees with pending asylum applications to sign in online university courses in Business, Computer Science, Engineering or Social Sciences offered by well-known universities. The programs are run entirely online until the check of university entrance qualifications is carried out, and the required language level is attained. Then students can enrol in a regular program in one of the partner universities, that recognise the online courses as equivalent to parts of the regular program. After successful completion of the programme, students are awarded their degree from the university that accepted them<sup>69</sup>. To finance their activities and the studies of prospective students, a crowd funding campaign was started in 2015 and nearly 550.000 Euros have been collected, which was enough to fund the studies of almost 500 students<sup>70</sup>.

### *Romania*

Romania provides for a very different case from Germany, as the attitudes of national authorities, as well as the public opinion vis à vis the reception of refugees into Romanian society and its education system have proved rather hostile<sup>71</sup>. At the height of the so-called ‘refugee crisis’, Romania, that only hosted some 3000 refugees, was initially opposed to the idea of quotas. Once these were agreed upon at the EU Council level, public declarations by officials shifted so as to highlight the importance of EU rules on the issue. However, public officials continued to stress that they favour a strengthening of external borders as opposed to a more relaxed asylum policy<sup>72</sup>. At the moment, the level of state aid for asylum seekers remains low, and is one of the lowest in the EU: aid is offered for a maximum period of 12 months, corresponds to a monthly

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<sup>69</sup> Kiron Open Higher Education, *The Educational Model*, Kiron website, retrieved <https://kiron.ngo/our-kiron-model/the-educational-model/> (26 November 2018)

<sup>70</sup> *Ibidem*

<sup>71</sup> Stefanescu, Cristian, *Romanian Tabloids Incite Panic Over Refugees*, DM website, retrieved <https://www.dw.com/en/romanian-tabloids-incite-panic-over-refugees/a-40753654> (25 November 2018)

<sup>72</sup> Purcarea, Dorotea, *Dacian Ciolos: Romania Needs Change in Manner of Making Politics, Change Cannot Be Done by One Man*, Romania National News Agency, 23 September 2016, retrieved <https://www1.agerpres.ro/english/2016/09/23/interview-dacian-ciolos-romania-needs-change-in-manner-of-making-politics-change-cannot-be-done-by-one-man-10-37-20> (26 November 2018)

allowance of 540 RON (120 euros), which is slightly over half of net minimum wage<sup>73</sup>. Refugees are often turned around at border checkpoints if they come from a country that is considered as safe - and this is usually the case, because Romania does not border any active conflict zones directly.

When it comes to education, admission and access to universities is regulated at institutional level and governed by a precise set of rules and regulations that are determined by the Ministry of Education. The state provides for most of the costs related to university studies. The extent of state support depends on the academic qualifications of candidate students. State-funded scholarships are only allotted for full time study, and only EU students plus asylum seekers who already received a positive decision qualify. On a national level, there has been no new strategy issued for dealing with refugees. This is in part due to the low number of refugees overall, and because only a small fraction of refugees are believed to be eligible for or interested in Higher Education participation. The law currently regulates the admission of foreign citizens on a fairly strict basis, with non-EU nationals needing prior validation of their qualifications by the Romanian National Education Centre. This validation is done upon submission of original documents and verification of validity with authorities in the issuing country, which is problematic in the case of many refugees and creates a rather contradictory legal situation, taking into account that refugees with a recognised status are granted by law access to education in identical conditions as Romanians<sup>74</sup>. A partial solution that has been offered to refugees is to replace missing documentations with a self-declaration of personal responsibility stating that the refugee holds the necessary qualifications under risk of legal penalties. This is often problematic as many refugees do not have a clear idea, yet alone the professional competences, to assess the potential equivalence between the diploma or degree they possess and the one on offer at a Romanian university. Another remarkable issue is the one of language skills. Romania does not offer any lenience with regard to the level of language skills required to access university, and free language courses for refugees are not provided<sup>75</sup>.

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73 Santa, Robert, "Romania – Country Report", in Jens Jungblut, *Refugees Welcome? Recognition of qualifications held by refugees and their access to higher education in Europe*, European Students' Association Report, Brussels, 2017

74 *Ibid.*, p. 68

75 *Ibidem*

In the context of a very centralised state with no national strategy to grant access to HE for refugees, it is not surprised that best practices come from the civil society sector. The Asociația Română pentru Promovarea Sănătății, in collaboration with the Romanian Academic Society, launched a project focusing on raising awareness on the issue of tertiary education for refugees targeting decision-makers and the public opinion<sup>76</sup>. One of the project outcomes was the production of a policy brief calling for a reform of the legal framework, as well as a change in the practices of universities<sup>77</sup>. Most of the policy recommendations sketched out by the brief have not been implemented in law, although universities have welcomed to some extents the changes proposed and integrated them into their administrative practices. Another positive initiative is the refugee-dedicated action programme implemented by the Ecumenical Association of Churches of Romania (AIDROM), a pan-Christian association largely funded by EU grants. Activities such as cultural integration programmes and free language courses aimed at reaching the required level to access university falls within the scope of AIDROM's action<sup>78</sup>.

### *Italy*

Italy has been at the frontline of the increased refugee inflows caused by the political unrest in Syria, Libya and Iraq. According to Italian law, asylum-seekers can submit their asylum application at the border guard posts or at any police station, any time after his/her arrival to the country. Asylum applications are processed by the Regional Commissions on Immigration, that invite applicants for an interview not later than 30 days from the submission. Meanwhile, asylum-seekers receive a temporary visa linked to a residence address they have indicated in the application. The Regional Commissions can either grant international protection, or declare the request inadmissible (for instance if, according to the Dublin Regulation provisions, the asylum-seekers has entered the EU via a different MS), or reject the application in case the applicant is

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<sup>76</sup> European Commission, *A future Together - A Society Ready to Accept and Benefit from the Presence of Foreign Citizens with Legal Residence in Romania*, European Commission website, retrieved <https://ec.europa.eu/migrant-integration/inpract/a-future-together---a-society-ready-to-accept-and-benefit-from-the-presence-of-foreign-citizens-with-legal-residence-in-romania> (26 November 2018)

<sup>77</sup> Romanian Academic Society, *Immigration policies in Romania. Policy proposals regarding the protection of immigrants' civil rights in Romania*, Policy Brief n. 66, November 2015, retrieved <http://sar.org.ro/en/policy-brief-72-noiembrie-2015-romania-si-politicile-in-domeniul-imigratiei-recomandari-privind-protectia-drepturilor-civile-ale-imigrantilor-din-romania/> (26 November 2018)

<sup>78</sup> AIDROM, *Sprijin pentru Solicitantii de Azil din Romania*, AIDROM website, retrieved <http://www.aidrom.ro/proiecte/asistenta-solicitanti-de-azil/> (26 November 2018)

deemed as not eligible for the refugee status. In case of negative reply by the responsible Regional Commission, asylum-seekers are subject to expulsion by public authorities. However, they can appeal the decision to the court, that suspends the expulsion until a final decision is taken<sup>79</sup>.

When it comes to education, universities in Italy are for the most part public, with tuition fees oscillating between 1000 and 2000 euros per year. Regions receive funds from the Ministry of Education to offer scholarships covering the study cost and allocating rooms in student residencies on the grounds of previous academic performance and the current financial situation. It should be noted that Italy possesses one of the least integrated education systems in the EU. Degrees obtained abroad do not have legal value in Italy, regardless of whether they have been acquired by an Italian, EU or non-EU citizen. A specific, and extremely strict and complicated procedure is foreseen to have an academic title recognised into the Italian system (e.g. “*equipollenza*”). The procedure is exactly the same for refugees, who must first send their full documentation (latest updates on their refugee status, original degree, official translation of the title) to the Italian Ministry of Foreign Affairs. This first step is problematic as often do not have their study degrees with them. Also, obtaining the official translation of the title is a costly procedure that only few applicants can afford. Once the Ministry of Foreign Affairs has carried out the necessary checks, it produces a Declaration of Value that is handed over to the applicant. The refugee can then submit an enrolment request to an university of his or her choice, by attaching to the form the Declaration of Value, a document detailing all exams taken by the candidate and a document detailing the programmes of all exams taken by the refugee (both documents need to be provided with an official translation in Italian). Once all these documents provided, the Academic Council of the targeted university can take up to 90 days to deliberate on the admissibility of the candidate students. At the end of the process, the targeted university can grant the *equipollenza* and thus allow for full enrolment, prescribe a list of mandatory exams to take before enrolling in the selected university course, or reject the request altogether. It is important to note that Italian universities enjoy a high degree of independence vis à vis the Ministry of Education (e.g. “*autonomia scolastica*”), which entails that each university evaluates

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<sup>79</sup> Progetto Melting Pot, *La procedura per il riconoscimento della protezione internazionale*, Melting Pot website, retrieved [https://www.meltingpot.org/La-procedura-per-il-riconoscimento-della-protezione.html#.W\\_v7PQj-2UI](https://www.meltingpot.org/La-procedura-per-il-riconoscimento-della-protezione.html#.W_v7PQj-2UI) (26 November 2018)



separately an enrolment dossier, so that very different decisions can be made by different universities evaluating the same application package by a refugee. Maybe as a partial answer to the hurdles underlining its complex education system, in 2016 Italy was the first country to respond to the call of MEP Silvia Costa on MSs to launch ‘humanitarian education corridors’ to allow for a fast-track access of refugees to university. Italy designed the project ‘U4Refugees’ together with UNHCR and the Conference of Italian Deans (CRUI), which eventually impelled the creation of an University for Refugees in collaboration with the Digital University of Nettuno. The University for Refugees offers full support in the enrolment application, online courses in five languages and 50 scholarships per year to deserving refugees with a recognised status<sup>80</sup>. In September 2018, the Ministry for Internal Affairs offered other 100 scholarships for students holding the refugee status, making it the first financial initiative in support of refugee education to be officially sponsored at the government level<sup>81</sup>.

Italian universities have in many cases made use of their financial independence to go beyond national initiatives in favour of refugees. The University of Bologna, for example, launched the project ‘Unibo for Refugees’, that waive tuition fees and offer 5 scholarships every year for 20 deserving refugees. Candidates from reception centres in Bologna were interviewed to assess their motivation and provided help in the application process. Selected applicants received free Italian courses and ad-hoc tutoring services<sup>82</sup>. A similar initiative was implemented by the University of Pavia, that each year provides around 15 full scholarships for refugees with a recognised status, a proven educational track and some knowledge of Italian or English<sup>83</sup>. The University of Torino and Politecnico of Torino are other two institutions with a welcoming stance towards refugees. University of Torino has created a working group on the issue of refugee education together with refugee-friendly ngos and local institutions. The result of the

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<sup>80</sup>Università per i Rifugiati, *50 borse di studio per studenti con status di titolari di protezione internazionale*, Un website, retrieved <https://www.universitaperirifugiati.it/it/riconoscimento-titoli-competenze-rifugiati.aspx> (26 November 2018)

<sup>81</sup>Conferenza dei Rettori delle Università Italiane, *100 borse di studio a student con protezione internazionale*, CRUI website, retrieved <https://www.crui.it/archivio-notizie/100-borse-di-studio-a-studenti-con-protezione-internazionale.html> (21 November 2018)

<sup>82</sup>University of Bologna, *Unibo for Refugees*, UniBo website, retrieved <https://www.unibo.it/it/servizi-e-opportunita/borse-di-studio-e-agevolazioni/esoneri-e-incentivi/unibo-for-refugees> (26 November 2018)

<sup>83</sup>Calabrese, Marco, *Rifugiati e il diritto allo studio – Università di Pavia*, Viedifuga website, 14 June 2016, retrieved <http://viedifuga.org/rifugiati-diritto-allo-studio1-luniversita-pavia/> (27 November 2018)

work of the group was the creation of a special scheme for refugees. About 10 refugees per year are selected to undertake university courses in Economics, Political Science or Languages. They receive a full scholarship and dedicated tutoring, but the awarding of the scholarship is subject to continuous attendance and good performance at the exams<sup>84</sup>. Finally, Politecnico di Torino articulates a rather comprehensive action that addresses both asylum-seekers and holders of refugee status. The project ‘Re-home for asylum-seeking students’ addresses the issue of the long waiting time passing between the lodging of an asylum application and the actual awarding of the refugee status. Asylum-seekers receive full support in gathering the required documentation for inscription, free online Italian classes, access to online university classes and they can take simulated tests of admission for those university clusters that foresee a *numerus clausus*<sup>85</sup>. The project ‘Re-home for refugee students’ targets candidate students already possessing a recognised status. The project focuses on the provision of financial services such as tuition fee waivers, free allocation of rooms in student residences and special cultural mediation services, as well as administrative support to help refugees integrate into the local community<sup>86</sup>.

## **REFUGEES’ STORIES: BELGIUM – ‘PLAT PAYS’, ROCKY PATH TO INTEGRATION**

The previous section analysed national strategies, as well as specific policies put forward at the EU MSs level in order to facilitate the access of refugees to HE institutions. This section aims at accounting for the real impact that those strategies and policies have on the lives of the target beneficiaries. To do so, it relies on the testimonies of three refugees and asylum-seekers that took part to the G-100 workshop in Brussels in April 2018. Interviewees, two men from Afghanistan and Syria and one woman from Eritrea, were selected according to their academic background: one of them is currently enrolled in a MA’s programme in Antwerp; another one has already successfully completed his MA’s degree in Brussels; the third one would like to

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84<sup>□</sup> Manassero, Alda, *Rifugiati e diritto allo studio – Università di Torino*, Viedifuga website, retrieved <http://viedifuga.org/rifugiati-diritto-allo-studio1-luniversita-pavia/> (27 November 2018)

85<sup>□</sup> Politecnico di Torino, *Re-Home4Students*, PoliTorino website, retrieved [http://international.polito.it/it/ammissione/futuri\\_studenti/re\\_home4students](http://international.polito.it/it/ammissione/futuri_studenti/re_home4students) (29 November 2018)

86<sup>□</sup> *Ibidem*

undertake a BA's programme, but hasn't started yet. The Afghani and Syrian men possess a recognised refugee status, while the Eritrean woman has been denied asylum on first instance, and is currently waiting for an appeal decision. Testimonies were collected via a structured questionnaire administered in English, that contained seven sections<sup>87</sup>. The first section deals with the personal details of the interviewees. The other six revolve around the issue of information gathering regarding access to HE in Belgium; the relations with national/local institutions and university administrations; their reactions to the Belgian legal framework; their perception of psychological factors and cultural differences potentially hindering the admission process; their feelings with respect to the recognition of their previous academic titles; and an overall assessment of their experience.

Regarding how interviewees gathered the necessary information on academic opportunities in Belgium, interestingly two out of three had already thought about applying for university in Europe before leaving their home countries. They were informed by fellow countrymen having found refuge in Belgium already that access to university was possible under certain circumstances. The Syrian man was able to retrieve and store on his computer the original documents related to his previous university degree, as he was informed that local authorities in Belgium may have asked him to produce documentation upon arrival. On the other hand, the Eritrean woman had never thought about studying at university in her life before reaching Europe. It was a social assistant whom she met at a reception centre in Flanders that mentioned the topic of education as a potential path of personal development. Although she was able to gather more information on the websites of Belgian universities, that all have pages in English, the situation was radically different when she tried to contact admission offices, with the personnel speaking little to no English and providing admission forms either in Dutch or French only.

As introduced in the in country analysis carried out on page 13, Belgium does not have a clear strategy with regard to the integration of refugees into HE institutions. This conclusion is mirrored by the refugees' testimonies on the topic of the inter-institutional coordination and the relations with university staff. In all cases, refugees experienced to different degrees institutional ambivalence, especially between the Public Service for Social Welfare (CPAS/OCMW), the

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<sup>87</sup>See Annex 1

government body responsible for the provision of basic services for refugees, and the National Employment Office (ONEM/RVA) sending out very contradictory and disorientating messages. In particular, on different occasions the Eritrean asylum-seeker was told by ONEM/RVA staff that her first preoccupation should be “to find a job”, and that the outcome of her asylum application could be hindered by her intention to study instead of joining the labour market. Although all interviewees agree on university staff across different institutions being in general very friendly and helpful, the three accounts report huge remarkable complications arising from the administrative requirements to be fulfilled during the admission process. To begin with, the Eritrean asylum-seeker could not finalise her application to any university, as Belgian law does not foresee enrolment opportunities for individuals without a formally recognised protection status. In addition, universities required the Afghani and Syrian refugees to produce several documents to prove their previous academic record that caused problems to the candidate students. In one occasion, a university employee asked the Syrian refugee to “contact his embassy” to retrieve some specific document, which is an action expressly forbidden Belgian law<sup>88</sup>. The Afghani student had some documents proving his previous academic record, but they were not accepted as the Université Libre de Bruxelles staff could not convert the exams he had taken in Afghanistan into the ECTS system. It was only thanks to the intervention of a Belgian social activist contacted by the Afghani refugee that the university staff could figure out that his previous degree was relevant to undertake a MA’s programme.

With regard to the funding scheme for their studies, both the Syrian refugee received a financial waiver for their tuition fees, amounting to about 1000 euros per year. He also received material support from his university in terms of books and a laptop to study, while the Balochi student had to look out for himself. As refugees with a recognised status, both of them were also eligible for financial support from CPAS/OCMW. The Afghani refugee’s experience, however, contradicts the official state policy: “Once I mentioned (to the CPAS/OCMW, NdR) that I want to pursue higher education in a university they warned me that it was not possible and I would lose my social protection. Because I was already accepted in the university, I didn’t care about the warning and continued my education. The moment the CPAS learnt that I was going to

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<sup>88</sup>Office for the Commissioner for Refugees and Stateless Persons, You Are Recognized as a Refugee in Belgium, Brussels, January 2018, p. 13, retrieved [https://www.cgvs.be/sites/default/files/brochures/asiel\\_asile\\_-\\_erkend\\_reconnu\\_-\\_you\\_are\\_recognised\\_as\\_a\\_refugee\\_in\\_belgium\\_-\\_eng.pdf](https://www.cgvs.be/sites/default/files/brochures/asiel_asile_-_erkend_reconnu_-_you_are_recognised_as_a_refugee_in_belgium_-_eng.pdf) (2 December 2018)

university, they stopped my social protection for three months. After three months, they made me sign a paper where I had to agree that on top of my University education, I would look actively for work, I had to follow language courses more than three days a week. “did not provide support beside basic survival needs”. Both the Afghani and the Syrian refugees had to work small jobs to sustain themselves during their studies, which in the case of the Syrian student had a negative impact on the time it took him to complete his studies and on his academic results.

Both the Afghani and the Syrian refugee could pursue their Master’s studies in English, after a positive assessment of their English language skills. Both refugees stated that they feel lucky, as fellow refugees seeking enrolment at the Bachelor’s level were only presented with courses of studies taught in Dutch, which were not suitable for their language skills. Free Dutch classes were offered to the Syrian refugee, with the University of Antwerp foreseeing a mandatory language exam to take at the end of each academic year. The Eritrean asylum-seeker pointed out that the Belgian state, as well as universities, normally do not offer free language classes to individuals without an officially recognised status. This is very demotivating, as the examination of an asylum claim can take up to one year, with asylum-seekers being unable to communicate with local institutions and communities. Even in the case a positive decision is eventually issued, refugees lose a lot of time that could have been spent preparing for access to university, as well as for language skills building.

Overall, the three testimonies provide a composite picture of refugee and asylum-seekers integration in Belgian HE institutions. While the Afghani refugee represents a real success story, with a Master’s degree in Political Sciences and International Relations earned after his arrival and a full-time job as an Associate Researcher in a Brussels-based leading think tank, the other two interviewees account for more nuanced cases. The Syrian refugee is enrolled for the third year in a MA’s course in Journalism that was supposed to last one year. Although he does not regret his decision of enrolling at university, he acknowledges that he had to go through a very tough time to sustain himself through small jobs while also preparing exams and writing a thesis. Finally, the Eritrean asylum-seeker is disappointed, yet not discouraged by her unsuccessful attempt to undertake Bachelor’s studies in Sociology. She is currently awaiting for a review of the decision on her asylum application. Meanwhile, she is taking Flemish classes from a social

assistant in the reception camp she live in, so that, she says, “when the positive decision on my refugee status will come, I will be ready to study”.

## **CONCLUSION & POLICY RECOMMENDATIONS**

This paper tried to assess the current situation regarding the access for refugees to HE institutions in Europe *de iure* and *de facto*. The hypothesis sat in the introduction, e.g. that the right to access university varies greatly according to the hosting country, and that individual experiences differ considerably even within a single country, appears to be confirmed by the analysis of the legislation in place in the selected countries, as well as by the study of the bottom-up initiatives by universities and civil society organisations and by the testimonies of the refugees interviewed.

As education is considered as a core competence of sovereign states in the Europe, the EU has not been able to regulate much this domain across its MSs. Although the right to education, as well as the right to access to HE institutions for refugees, is officially recognised by all EU MSs, that are also bound by the EU “Qualifications” Directive to guarantee the non-discrimination of refugees with respect to their own citizens, the reality check carried out in this paper accounts for another story. Administrative and financial obstacles prevent often many migrants from pursuing post-secondary studies or from having their previous academic titles recognised as they would wish to, pushing them into joining the EU Single Market as low-skilled, and low-paid labour force. Although refugees’ right to quality education has been affirmed on several occasion by the most important international institution in the world, including the United Nations, the European Union and the Council of Europe, as well as by all EU MSs, only few measures have been put in place in order to provide concrete application to the abstract provision.

Building on the policy recommendations that the G-100 initiatives presented to the Belgian government, this article addresses four recommendations to the European Union, so as to make sure that its MSs comply with the obligations the committed to in the field of HE for refugees:

- 1) *Creation of a EU centralised and independent information office on the MSs’ admission procedure and entry requirement, including a dedicated page on the European*

*Commission website.* Refugees could thus find relevant information and support on their specific cases, without risk of duplication, overlap or contradiction in the information provided to them by different administrations within MSs.

- 2) *Monitoring of the activity of National Employment Services.* Administrations within MSs are often split over conflicts over the right to access HE educations for refugees between Ministries of Education and Employment Services / Social Security Services. The EU should make sure that refugees are not forced into the market labour, in case they wish to continue their studies in their EU hosting MS.
- 3) *Encouraging the development of inclusive legislation at MSs level.* The EU should promote financial efforts in support to study costs for refugees at MSs level, including the provision of scholarships and accommodation. Laws restricting admission to university and financial allowance base on the period of residence in the country should be lifted. Particular attention should be given to the issue of asylum-seekers awaiting for a final decision on their application, that are in most case denied access to university. A legal status change could be envisaged for deserving asylum-seekers who are admitted to university, so that ‘student visas’ can be issues regardless of the outcome of the asylum application process.
- 4) *Lobbying for the provision of free language courses for all asylum-seekers and refugees.* As both education and communication are broadly recognised as basic human rights, the EU should put pressure on MSs with regard to the provision of free language courses for all asylum-seekers. This is especially relevant for those MSs that do not offer academic programmes in languages other than the country’s one, and foresee national language skills criteria as entry requirements at HE institutions
- 5) *Mainstreaming and disseminating further refugees’ academic success stories.* The EU should give more visibility to the experiences of successful refugees in MSs’ academic system. As the refugees’ demand for HE is on the rise, easier access to information to success stories can work as a multiplying factor empowering and motivating many more human beings.

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## ANNEX I

Questionnaire on the Access to Higher Education for refugees and asylum-seekers in Belgium

*Thanks for accepting to answer some short questions on your experience as a refugee academic, and for contributing positively to the dissemination of the good work started by the G-100.*

The following questionnaire is divided into 7 short sections.

The first section deals with your personal data. You can choose whether provide your full name and professional affiliation or not.

The other six sections all include a preliminary statement starting with “Please describe..” and three more specific questions. It is up to you to decide whether you want to reply to the statement or to one or more of the questions.

Please, be as specific and as concrete as possible in your answers and make reference to anecdotes from your personal experience. You can also provide examples from the experience of people within your network, but please do clearly differentiate between the situations that happened to you and those that happened to your acquaintances.

Thanks!

## 1) PERSONAL DETAILS

Name:

Surname (optional):

Professional affiliation (optional)

Do you hold an 'international protection' officially recognized status?

Are you currently enrolled in an University Programme in Europe? If yes, which one and where?

Did you already obtain an University Degree in Europe? If yes, which one and where?

## 2) INFORMATION GATHERING

Please describe your experience with regard to collecting information to pursue Higher Education (HE) studies in Europe.

- Did you think about enrolling in a HE institution before coming to Europe, or did you come up with that idea upon arrival?
- Did you hear of the possibility to study at university in Europe from fellow asylum-seekers/refugees? From social assistants in receptions camps?
- Did you collect information yourself on titles recognition, admission procedures, etc. (via internet or local people)?

## 3) RELATIONS WITH NATIONAL/LOCAL INSTITUTIONS AND ADMINISTRATIONS

Please describe your experience in dealing with paperwork for enrolment, coordination between the different administrations of the State, university staff.

- How would you assess inter-institutional coordination between the state departments in charge of integration of refugees, those in charge of education/work and universities?
- Did you feel overall support or opposition from public institutions in your decision to pursue HE studies?
- Did you manage to collect all the official documents necessary for your enrolment, or did your HE institution accept a self-declaration? In case you did indeed collect all the required documents, how did you manage to gather them all (contacted embassy, asked friends or family in home country, etc.)?

## 4) LEGAL FRAMEWORK

Please describe your experience regarding the legal provisions of your host country with respect of the access to HE for refugees.

- Was the right to access university somehow linked with continuous residence in the country for a specific time (1 year, 5 years, etc.)?
- Did your host country offer a specific funding scheme for refugees willing to undertake HE studies?
- Could you already access a HE institution as an asylum-seeker (e.g. while you were awaiting for a decision on your asylum application) or did you have to wait until the official protection status was recognized? Was any kind of HE courses accessible during your period in the hosting country as an asylum-seekers?

#### 5) SELF-MOTIVATION AND CULTURAL DIFFERENCES

Please describe your experience in combining your focus on HE with the overall challenges linked to starting a new life in Europe.

- Did bureaucratic difficulties affect/temporary halt your motivation to pursue HE studies?
- Did you ever feel that HE studies in Europe would be too difficult or too different from what they are in your home country, and that you could not make it here?
- Did you feel ever perceive hostility or indifference in your regards at university?

#### 6) SKILLS ASSESSMENT

Please describe your experience with regard of the recognition and assessment of your skills in the application to university process.

- Did you already speak the language of the HE institution you applied to before applying?
- Did the HE institution you applied to provide you with free language/research methodology classes, or any other kind of tutoring?
- Do you feel that your previous academic skills were sufficiently recognized by the HE institution you studied at in Europe, or do you feel that you had to start from a lower level because your previous experience was not duly taken into account?

#### 7) OVERALL EXPERIENCE

Please add any further comment on your overall experience with EU HE institutions.



